

Rev.4-22 &amp; 5-7-06 TFA April 19, 2006

## ADAMS ARGUMENTS AGAINST

ZONCA, 6,637,721 B1 teaches Adams nothing because ADAMS predates ZONCA's September 11, 2000 by 1 ½ years, i.e. April 13, 1998

In view of La Londe 4,222,547, his overflow channels teaches Adams nothing because figure 16 & 17 shows (Adams most refined design to facilitate quick and accurate filling of four trays) the rear section is completely flooded so the back reservoir provides its own built-in leveling: negating any need for conventional channels. Adams has notches serve as guide for approx. 10-12 degree tilt angle for proper filling of multiple trays.

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COPEMAN 2,113,014 teaches Adams nothing as his is a very complex and separate Apparatus. Adams is a cheap one-piece Ice Stick tray and funnel.

Regarding inventions, *Thomas Edison in 1915 said, "It should be cheap, practical and convenient!"* Note Adams Quote (included) from "*Southern Plastics and Rubber*" the "piece price" for tray and funnel: range from only \$.74 down to \$.24 each, depending on the amount ordered!

Asenbauer 3,327,896 teaches Adams nothing. This patent teaches us the likes of a heavy-duty (load-bearing) shipping container with taller sections at both ends and lower walls in the center. If these were made of light-weight construction (for home use) then they could be similar to conventional containers used these days to store vegetables (e.g. potatoes and the like) in stacks, and the lower central wall sections facilitate adding or removing potatoes without disturbing the rest of the stack. It offers no relation/teaching quick-filling and/or freezing of water into ice articles.

Whereas Adams teaching presents (in Fig 16 & 17) a unique design / procedure which is a first! No one ever presented before: a E-Z./accurate water-filling system for a stack of multiple ice cube trays (with fronts raised) 10 degree flooding reservoir at the rear of each tray to facilitate accurate back-filling of all cavities, when trays are restores back to level position (from front edge{s} being raised 10 degrees under a faucet stream)! Adams, [unlike Zonca 2547] did much experimental development work to make his narrow-girthed Ice Stick trays:

- A) Easy to use and fill, and
- B) Built many molds and trays of various configurations to come up with the ultimate size and cavity configuration so Adams trays fit conventional tray space in existing home freezers, and we don't have to break cubes into pieces to fit all beverage containers. Adams realizes that any new ice tray no matter how "cool" the shape it is, the inventor is bucking a lot of "head-wind" resistance as almost 50% of home refrigerators now have automatic ice makers.

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Whereas Zonca seems to have done very little experimental development work to make his tray:

- 1) Easy-to-use i.e. (no overflow/leveling channels), or
- 2) Conventional in size {e.g. 5"-5.5"wide x 10"-11" long} to fit in the space on refrigerator freezers; Zonca size appears to be extra wide 6"-7", and extra short: 7"-8" in length.

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FAN, D 482,374 January 2002

Fan Teaches Adams nothing because Adams "vertical tray":

- A) Drawing predates Fan by 3/31/98, and
- B) Original patent application into USPTO on 1-27-00.

To USPTO

May 7, 2006

Re: Pub. No US 2005/0064069 A1, Date Mar 24, 2005  
Small Girthed Ice Articles and Trays for Making Same

Greetings:

1) Adams was the First-to-Invent and (later First-to-File:

Adams started creative development of Narrow Girthed Ice Articles i.e. ICE STICKS tm And made molds and sample ICE STICK trays for various simple configurations such as shown in Fig 9 and Fig 14 of this application. These led to a more complex tray with an integral funnel along the rear as shown in Adams Fig 14; we've located (and included) a scale drawing of this dated 4-13-98. Which predated Zonca 7721 by over 2 years and 5 months.

We also included two sheets of Adams vertical tray dated 3-31-98 which became his Fig 23, Fig 24, and Fig 25, predating Fan 2374 by almost 4 years 4 months.

Adams drafted his discussion of "ICE STICK CONCEPTS" Proprietary and Confidential dated April 02, 1998.

My first correspondence regarding ICE STICKS with my consulting Engineer/Draftsman Alex Kiwior was Feb 27, 1999. My First contact with my Patent Attorney Peter Keefe was Mar 27, 1999, and I paid him a \$1500 deposit toward his patent application work.

2) Adams was First-to File; his application regarding Narrow Girthed Ice Articles: original application No. 09/493,650 (now abandoned) was filed Jan 29, 2000 by

P. Keefe; See Paragraph (0001) Pg 1 of this application.

A) Adams application predated Zinc by almost 9 months; Zonca filed Sep 11, 2000, and was granted Patent 6,637,721 on Oct 28, 2003.

*(Note during the time since Adams first applied, P. Keefe unsuccessfully made arguments to show the USPTO we had useful novel ICE STICK concepts. Werner Schroeder then took over and made an appeal with no success, so the original application was abandoned. W. Schroeder reapplied Sep 22, 2003.)*

B) Adams original application predated Fan by almost 30 months. Fan filed on Jul 22, 2002 and got design patent US D482, 374 S on Nov 18, 2003.

We trust this chronological information will over come all arguments and the USPTO will promptly award Adams his patent based on his First-to Invent and First-to File data herein presented.

Best Regards and Blessings,

Thomas F. Adams P. E.

April 02, 1998

ICE STICK CONCEPTS

PROPRIETARY AND CONFIDENTIAL BY THOMAS F. ADAMS P.E.

The ICE STICK concept has multiple facets or stages ; it could perhaps just start out with specialized ice trays with multiple "cone shaped" cavities to be filled with water and frozen into a form of an icicle or conical shaped mass of ice.

The purpose of the development of these conical shapes of ice is that it is a much more useful configuration/shape to freeze water. This unique ice shape will become very popular because ICE STICKS can be put into the top openings in conventional aluminum and steel cans of beverages: e.g.. soft drinks, lemonade, ice tea, juice, whatever, for the purpose of keeping the liquid colder, longer.

ICE STICKS can also be inserted into the popular 1/2 liter (and related sizes) bottles of soft drinks and other beverages. People who buy bottled water as well will find ICE STICKS very handy. All these applications may have to have some liquid poured or drained off to make room for ice sticks. ICE STICKS will be especially handy for those who refill their water bottles; they

*Re. Stick Concepts Pg 2 of 3 4/12/98*

PROPRIETARY AND CONFIDENTIAL BY THOMAS F. ADAMS P.E.

can add as many ICE STICKS as they choose, and then fill the bottle with cold water.

What will follow (almost immediately) is that ice making machines can and will be designed and so the makers of conventional ice cubes, half-moons and other current shapes will tend to redesign their mechanisms to produce cylindrical or conical shapes, 1/2" to 5/8" in diameter, in lengths of 1, 2 or 3 inches etc.

#### SPECIAL ICE STICK SCOOPS

When ice machines produce ice sticks of cylindrical / conical shape, then the bins ~~of~~ storage containers for these ICE STICKS can be supplied with a unique ICE STICK scoop that has a funnel neck fashioned / added on one side of the scoop, so when several ICE STICKS are scooped up, one simply tilts the scoop so the funnel neck is lower and one can direct several ICE STICKS (in a most sanitary manner) through the funnel neck directly into the bottle (or can opening) without ever touching the ICE STICKS directly.

#### DISPOSABLE ICE STICK FUNNEL SCOOPS

Bags of ice dispensed or sold from dispensers or coolers and (until <sup>now</sup> people all have their own ICE STICKS funnel scoop) ~~an~~ <sup>can now</sup> supplied (in a bag) an inexpensive disposable funnel dispenser can be supplied as an incentive to buy a particular brand of bagged ice. This

*Ice Stick Concept* <sup>Page 3 of 3</sup>  
*1 4/2/78*

PROPRIETARY AND CONFIDENTIAL BY THOMAS F. ADAMS P.E.

inexpensive / disposable ICE STICKS funnel scoop can be merely a long slender funnel perhaps made of thin walled plastic. It's outer shape serves as the handle, and <sup>its</sup> the broad end is where the ICE STICKS are picked up. The flow of ICE STICKS into bottles / cans can be accurately controlled by alternately squeezing and releasing one's grip on the body of the funnel / scoop.

Summary

The ICE STICKS innovator foresees good reason that the ICE STICKS concept with it's many handy added uses will become the new ice shape of choice for all ice masses that are frozen mainly for beverage and all general cooler use.

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ICE STICKS DUE DILIGENCE 1999

March 5, 1999: Non-Disclosure signed by THOMAS F. ADAMS, cosigned by RON STEINER and mailed March 10, 1999.

March 27, 1999: First four sheets faxed about ICE CUBE & TRAY and cost of \$3,300.00

4-12-99: For Patent ICE STICK Sketch on Letterhead

6-24-99 Fax to Phil Amico on Mold-Building for (vacuum-formed trays)

Fax 6-16-99 (9) nine cavity tray with funnel along back edge

June 11, 1999 ICE STICK man by ALEX KIWIOR

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Faxed January 12, 2000: Page 3,4,5 by Peter Keefe

3961 East River Drive  
Fort Myers, FL 33916

First-to Invent ICE STICKS tm and DUF DILIGENCE  
Rev. 4-22 5-5-06 T F Adams 4/19/06

April 02, 1998: "ICE STICKS CONCEPTS" write up.

April 13, 1999: Faxed same to Attorney Keefe & Associates

March- April 1998: ICE STICK tm Experiments began! While working on my  
DOUBLE UP tm Towel Bar (Patent 5,711,434),

I took notice of the plastic tubes on my sales displays were  $\frac{3}{4}$ " square with bulged-out  
sides, approx. 18" long.

So, I taped one end of tube closed and  $\frac{1}{2}$  of the height of other tube end and filled half  
a tube with water and froze it in our home freezer. We thus successfully came out with  
the ICE STICKS tm.

(We also did similar experiments with  $\frac{1}{2}$ " round P.V.C. tube).

In his possession, Adams still has these experimental tubes (from early tests in 1998)!



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**First-To-Invent ICE STICK and DUE DELIGENCE Continued**

The lengthwise cavities were a bit of a hindrance so my further development led us to CROSS WISE CAVITIES (ten shown) in Fig. 16 & 17 in our Patent Pending. The filling and back flow worked perfectly! Also note that No Over Flow Channels are needed nor required. We do have one row of notches properly located as when tilted up the rear section is all flooded and evens out the water so to help us as a guide to know when we have the proper amount of tilt (10-12 front lifted up)

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July 21, 1999: Note print at 990721 drawn by my consultant engineer Alex Kiwior- has (10) cross wise cavities with over flow channels. Note extra long 11.73 in. long with handles on each end.

July 21, 1999: Another sent by Alex Kiwior same number and date with raised rear area for flooding rear Thomas F. Adams approved January 18, 2000.

June 28, 1999 Note 8 1/2 x 14 print at 990629&2 Rev. 6/21/99 Alex Kiwior

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First-to-Invent ICE STICK tm and DUE DELIGUENCE 1999/ 2000

Note: In addition to ordering several inexpensive (Vacuum-Formed ) molds & Experimental ICE STICK Trays (from Toni Products) and making many "Fill & Freeze" ICE STICKS try-outs, we also requested and got:

Quotes-Tooling and Tray Prices

June 19, 2000 Print 8 1/2 x 11 at 61900 Shows 3 trays stacked for quick, accurate filling of multiple trays.

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June 2, 1999 Quotation Correspondence regarding ICE STICK MOLDS under (non-disclosure forms) from MIAMI VALLEY PLASTICS

June 8, 1999 Visit to Reko Mold Old Castle Windsor, Ontario, Canada

Note Signed Non-Disclosure (IR. CDA)

June 14, 1999: Reko Quoted

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August 15, 2000: Southern Plastic and Rubber

Quoted ICE STICK Production

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April 5, 1999: Non-Disclosure

April 12, 1999: TKO Manufacturing – Request for Quote

Adams Ice Stick tm Patent Pending

5-5-06

Note Figure 17, When the tray is tilted no overflow channel is used or needed and as the whole area surrounded by the two 210a & 210c is flooded evenly, so the single line of notches/ channels only acts as a guide for the proper amount of tilt (approximately 10 degrees), that the front of a stack of trays is raised while being filled simultaneously under the faucet's stream of water.